IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2028 OF 2007

Satyanarayan R.Dubey & Ors. .. Petitioners.
Vs.
State of Maharashtra & Ors. .. Respondents.

Mr.Dasgupta i/b Jhangiani, Narula & Associates for the petitioner.
Mr.K.R.Belosey for respondent no.1.
Mr.G.D.Uttangale for respondent no.2.
Mr.S.G.Surana for respondent no.4.

CORAM : D.B.BHOSALE, J.
DATED : 24TH SEPTEMBER, 2007.

P.C.:

. Heard learned counsel for the parties.

2. At the outset my attention was invited to the order dated 13.12.2006 passed by the learned Single Judge in Writ Petition No.2686 of 2006 and paragraph 13 thereof in particular. The relevant portion of paragraph 13 reads thus:

> ".... .... At the same time, it would be necessary to direct the Slum Rehabilitation Authority to scrutinise the information that has been placed on the record by the petitioners with a view to consider as to whether there is any merit in the factual grievance urged on behalf of the petitioners in that regard. The petitioners would be at liberty to submit a comprehensive representation before the Slum Rehabilitation Authority within a period of four weeks from today and in the event that a representation is submitted, the Competent Authority shall take a decision thereon after considering the

> reply, if any, that may be submitted on behalf of the Fifth Respondent. A copy of the representation shall also be furnished to the Fifth Respondent. In the event that the Competent Authority comes to the conclusion that the proposal submitted by the Fifth Respondent is not supported by an adequate number of slum dwellers (70 per cent as required under the law), it would be open to the Authority to consider any other proposal including that submitted by the petitioners for development."

. In view of the aforesaid observations the petitioner has made representation dated 26.3.2007 to the Chief Executive Officer, Slum Rehabilitation Authority, Mumbai which is still pending consideration. In view thereof learned A.G.P. and the counsel for Slum Rehabilitation Authority submitted that the petition be disposed of with directions to the Slum Rehabilitation Authority to consider representation dated 26.3.2007 within timeframe. Mr.Uttangale, learned counsel for respondent no.2 has no objection for giving such directions. However, he submits that all contentions in the writ petition and the reliefs prayed may be kept open for the petitioner to raise after disposal of representation dated 26.3.2007. Having considered the submissions of learned counsel for the parties and perused the material placed before me and more particularly the order dated 13th December, 2006 I am satisfied that the following order shall meet the ends of justice:

. The Chief Executive Officer, Slum Rehabilitation Authority, Mumbai shall consider and decide the petitioner's representation dated 26.6.2007, as expeditiously as possible and preferably within a period of 12 weeks from the date of receipt of this order, in compliance with the order passed by the learned Single Judge dated 13.12.2006 and pass speaking order on the aforesaid representation. All contentions of the parties are kept open. With these observations the petition is disposed of.

(D.B.BHOSALE, J.)